



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

February 24, 2021

BY ECF

The Honorable John F. Keenan
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Oscar Minaya*, 11 Cr. 755 (JFK)

Dear Judge Keenan:

The Government and counsel for defendant Oscar Minaya are in receipt of the Court's order scheduling the defendant's resentencing proceeding for June 23, 2021 at 11:00 a.m. As mentioned in the defendant's prior letter, the parties anticipate litigating whether or not the First Step Act's 2018 changes to the way multiple counts of conviction under 18 U.S.C. § 924(c) interact with one another applies in this case. Accordingly, the parties have conferred and respectfully request that the Court so-order the following proposed schedule for resentencing submissions, which will include any necessary legal briefing regarding this issue:

- Defendant's submission due April 28, 2021
- Government's submission due May 26, 2021
- Defendant's reply submission, if any, due June 9, 2021

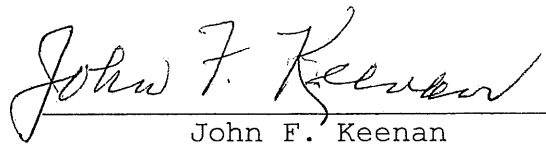
In addition, given how much time has elapsed since the original Presentence Report was prepared in this case, the parties respectfully request that the Court direct the Probation Office to prepare an updated or supplemental Presentence Report in connection with the resentencing.

Both sides in agreement, the Government's proposed schedule for resentencing submissions is GRANTED.

It is FURTHER ORDERED that the Probation Office shall prepare an updated or supplemental Presentence Report in advance of the Defendant's resentencing on June 23, 2021.

SO ORDERED.

Dated: New York, New York
February 26, 2021


John F. Keenan
United States District Judge